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MESSAGE OF THE PRESIDENT.

RICHMOND, VA., Jan. 18, 1864.

To the House of Representatives :

In response to your resolution of the 30th ultimo, I herewith transmit for your information a communication from the Secretary of War, covering copies of regulations and orders relative to the payment of assessments of damages made by commanding officers in the field, "without intervention of courts martial or boards of survey."

JEFFERSON DAVIS.

COMMUNICATION FROM THE SECRETARY OF WAR.

CONFEDERATE STATES OF AMERICA, }
War Department, }
Richmond, Va., Jan. 15, 1864. }

To the President of the Confederate States :

SIR: I have received the resolution of the House of Representatives, adopted on the 30th ultimo, requesting to be informed "whether orders have been made by commanding officers in the field requiring officers of regiments and companies to pay assessments of damages made by such commanding officers, without intervention of courts martial or boards of survey, and whether such orders are authorized by any statute of the Confederate States, and if not, upon what authority such power is claimed or exercised."

In response, I have the honor to transmit herewith a report from the Adjutant General, enclosing such regulations and orders as bear upon the subject referred to in the resolution of the House.

JAMES A. SEDDON,
Secretary of War.

COMMUNICATION FROM ADJUT AND INSUR GENERAL.

ADJUT AND INSUR GENERAL'S OFFICE, }
 Richmond, Jan. 18, 1863. }

Hon. J. A. SEDDON, *Secretary of War*:

SIR: In reply to the resolution of the House of Representatives, inquiring "whether orders have been made by commanding officers in the field, requiring officers of regiments and companies to pay assessments of damages without the intervention of courts martial or boards of survey, and whether such orders are authorized by any statute of the Confederate States; and if not, upon what authority such power is claimed or exercised," I have respectfully to state, that the thirty-second article of war requires commanding officers, to the utmost of their power, to redress abuses and disorders committed by any officer or soldier under their command, and on their failure to do so as far as the offender's pay shall enable them, directs that they shall be cashiered.

The regulations of the army, paragraph 483, require, when lands, &c., are occupied as encampments and vacated, a report of their condition, and any injury they may have received by the use of the Confederate States, shall be made to the Quartermaster General.

I enclose herewith a copy of the Articles of War, and of general orders 104, from this office, as bearing on this subject.

In pursuance of the foregoing regulations and orders, Gen. R. E. Lee issued his general order No. 70, of June 4, 1863, a copy of which is also enclosed.

It is probable that other commanders have issued instructions resembling those of Gen. Lee, as they are frequently necessary to prevent carelessness and the wanton destruction of property.

I respectfully return the letter of the President referred to me.

Very respectfully, your obedient servant,

S. COOPER,

Adjutant and Inspector General.

HEADQUARTERS ARMY NORTHERN VA., }
June 4, 1863. }

GENERAL ORDERS, }
No. 70. }

EXTRACT.

I. Paragraph V, of general orders No. 39, Adjutant and Inspector General's office, late series, regulating the subject of damages, will hereafter determine the settlement of all such questions, and will be strictly observed. It is republished for the information of the army :

“Frequent complaints having been made of injury to fencing, and to the grounds on or near to which troops have encamped, attention is called to the 983d paragraph of the Army Regulations, which requires the commanding officer and quartermaster to make inspection of buildings, quarters, or lands occupied for encampments, when they are vacated, and a report to be made to the Quartermaster General of their condition, and of any injury to them by use of the troops.

“This regulation will be strictly enforced, and in case of injury not reported by the commanding officer and quartermaster, they will be charged on their pay accounts of the troops with the damage done. If report be made, it must specify by whom the injury was inflicted, and the deduction in such case will be made from the pay of the offending party.”

ADJ'T AND INSP'R GENERAL'S OFFICE, }
Richmond, Dec. 13, 1862. }

GENERAL ORDERS, }
No. 104. }

I. Encampments of troops near towns and villages must be avoided where it is not indispensable. Whenever it is so, a sufficient force for guards and outposts must be selected from the best disciplined troops, and assigned as a garrison, &c. ; and officers and men will not be permitted to enter the town or village, except on written permission of the commanding officer.

II. Arms must not be carried from the camp, nor will mounted men in camps be permitted to ride their horses, except upon duty.

III. Private property is invariably to be respected, and must not be taken or used, except when indispensable for the public service, and then only by orders of competent authority, and in the manner pointed out in the Army Regulations and orders of the Quartermaster and Commissary Departments.

IV. The reckless destruction of fencing, wood and other property of the citizens which has occurred in so many instances, cannot be

too strongly condemned. Commanders of troops of whatever grade should, by the exercise of diligence and strict discipline, endeavor to prevent such results, entailing, as they will, poverty upon individuals, and useless expense upon the Government. Fencing ought not to be disturbed where it can possibly be avoided; and when wood is necessary for the public use, that which is least valuable must be selected, with as little waste as practicable.

V. A careful observance of these orders is enjoined on the army, as of the first importance to the public interests. All violations of them are directed to be reported to the property authority, for such punishment as may be requisite.

By order.

S. COOPER,

Adjutant and Inspector General.

Thirty-second Article of War.

ARTICLE 32. Every officer commanding in quarters, garrisons, or on the march, shall keep good order, and, to the utmost of his power, redress all abuses or disorders which may be committed by any officer or soldier under his command; if, upon complaint made to him of officers or soldiers beating or otherwise ill-treating any person, or disturbing fairs or markets, or of committing any kind of riots, to the disquieting of the citizens of the Confederate States, he, the said commander, who shall refuse or omit to see justice done to the offender or offenders, and reparation made to the party or parties injured, as far as part of the offender's pay shall enable him or them, shall, upon proof thereof, be cashiered, or otherwise punished, as a general court martial shall direct.

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